

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MANETIRONY CLERVRAIN, et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 4:22-CV-00379-JAR
)	
ROY BLUNT et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on self-represented plaintiff Manetirony Clervrain's application to proceed in the district court without prepaying fees or costs. (ECF No. 1-1). Because plaintiff does not have sufficient funds to pay the filing fee, the Court will grant the motion. Additionally, for the following reasons, the Court will dismiss this case on initial review pursuant to 28 U.S.C. § 1915(e)(2)(B).

Background

This Court discussed plaintiff's extensive record of frivolous filings in its decision in *Clervrain v. Schimel*, No. 4:20-CV-538-SRC, ECF No. 6 at 1-4 (E.D. Mo. Jun. 9, 2020). For purposes of this case, the Court will simply incorporate that discussion by reference here. *See id.* Because plaintiff does not appear to be in custody, the Court will not rely on the three-strike provision of § 1915(g). Instead, the Court will conduct its initial review of plaintiff's complaint under 28 U.S.C. § 1915(e).

Legal Standard on Initial Review

This Court is required to review a complaint filed in forma pauperis, and must dismiss it if it is frivolous, malicious, or fails to state a claim upon which relief may be granted. 28 U.S.C. §

1915(e)(2). An action is frivolous if it “lacks an arguable basis in either law or fact.” *Neitzke v. Williams*, 490 U.S. 319, 328 (1989). An action fails to state a claim upon which relief may be granted if it does not plead “enough facts to state a claim to relief that is plausible on its face.” *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007).

A claim is facially plausible when the plaintiff “pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). Although a plaintiff need not allege facts in painstaking detail, the facts alleged “must be enough to raise a right to relief above the speculative level.” *Twombly*, 550 U.S. at 555. This standard “demands more than an unadorned, the-defendant-unlawfully-harmed-me accusation.” *Iqbal*, 556 U.S. at 678.

The Complaint

Plaintiff brings this action under 42 U.S.C. § 1983 on behalf of himself and at least twenty other plaintiffs against Senators Roy Blunt and Josh Hawley, Governor Mike Parson, and at least fifty other defendants. Plaintiff appears to be alleging a banking conspiracy and repeatedly refers to the “Ant(s) Nationality Act.” The complaint is indecipherable. It does not mention any defendant by name. The Court cannot determine what causes of action are being alleged or what relief is sought.

Discussion

Although the Court is to construe plaintiff’s complaint liberally on initial review, plaintiff’s complaint does not contain any well-pleaded facts that demonstrate any plausible claims for relief against defendants. An action is frivolous if “it lacks an arguable basis in either law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 328 (1989). An action is factually frivolous if the facts alleged are “clearly baseless”; alleged facts are clearly baseless if they are “fanciful,” “delusional,” or

“fantastic.” *Denton v. Hernandez*, 504 U.S. 25, 32–33 (1992). Because the Court finds plaintiff’s complaint lacks an arguable basis in either law or fact and the allegations are clearly baseless, it will dismiss plaintiff’s complaint for failure to state a claim upon which relief may be granted.

Accordingly,

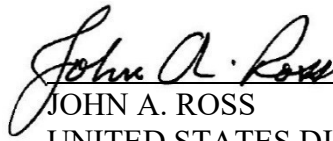
IT IS HEREBY ORDERED that self-represented plaintiff Manetirony Clervrain’s motion for leave to proceed in forma pauperis is **GRANTED**. [ECF 1-1]

IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice for failure to state a claim upon which relief may be granted. *See* 28 U.S.C. § 1915(e)(2)(B).

IT IS FURTHER ORDERED that all other pending motions are **DENIED as moot**. [ECF Nos. 3-18]

An Order of Dismissal will accompany this Memorandum and Order.

Dated this 13th day of June, 2022.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE